

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

RUSSELL LEROY JOHNSON, ) No. CV 11-6830-JST (PLA)  
Petitioner, )  
v. ) **ORDER ADOPTING MAGISTRATE  
JUDGE'S REPORT AND  
RECOMMENDATION**  
J.D. HARTLEY, Warden, )  
Respondent. )

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Pursuant to 28 U.S.C. § 636, the Court has reviewed the entire file de novo, including the magistrate judge's report and recommendation. The Court agrees with the recommendations of the magistrate judge.

**ACCORDINGLY, IT IS ORDERED:**

1. The report and recommendation is adopted.
  2. Respondent's Motion to Dismiss is granted.
  3. Judgment shall be entered consistent with this order.
  4. The clerk shall serve this order and the judgment on all counsel or parties of record.

DATED: June 26, 2012

**HONORABLE JOSEPHINE STATION TUCKER  
UNITED STATES DISTRICT JUDGE**